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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,203	10/17/2003	Jarmo Kuusinen	NOKM.079PA	6660
7590 Hollingsworth & Funk, LLC Suite 125 8009 34th Avenue South Minneapolis, MN 55425			EXAMINER JUNTIMA, NITTAYA	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 09/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/688,203

Applicant(s)

KUUSINEN ET AL.

Examiner

Nittaya Juntima

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 51-93 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 51-93 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the amendment filed on 8/2/2007.
2. The specification is current objected to under 35 U.S.C. 132(a) due to new matter.
3. Claims 51-93 are currently rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.
4. Claims 81-88 and 93 are currently rejected under 35 U.S.C. 112, second paragraph.

Specification

5. The amendment filed 8/2/2007 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: “including the dynamic conference number in CS bearer information” as recited in independent claims 51, 72, 80, and 81 and “effecting the communication flow between the plurality of terminals via the CS network as directed by the CS bearer information in response to the SIP message using the dynamic conference number” as recited in independent claim 51.

Note that the cited portion for the support of the amendment in the specification on page 13, lines 24-page 14, lines 2, recites:

“In one embodiment of the invention, a session description is extended or otherwise modified to carry CS-specific information between the endpoints 100, 102 in connection with a session setup. For example, in a SIP session setup, the CS-specific information may be carried using the Session Description Protocol (SDP). The session description includes an indication from the terminal (e.g., MS 100), that the CS domain will be used for the conversational, streaming, or other delay-sensitive class flow. The

routing number may be carried in the response (e.g., SIP response) to the request. Such a routing number may be used, for example, in conferencing or in multiparty peer-to-peer communications to obtain the dynamic conference number from the server to the initiating terminal.” Emphasis added.

Accordingly, the specification may teach that the routing number is carried in the SIP response which may be considered as part of the dialog establishment supporting the teaching of using a routing number to obtain a dynamic conference number as amended. However, nowhere in cited portion of the specification, the specification as a whole, or drawings teaches including the dynamic conference number in the CS bearer information and using the dynamic conference number to effect the communication flow between the plurality of terminals as amended.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 51-93 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The added material which is not supported by the original disclosure is as follows: “including the dynamic conference number in CS bearer information” as recited in independent claims 51, 72, 80, and 81 and “effecting the communication flow between the plurality of

Art Unit: 2616

terminals via the CS network as directed by the CS bearer information in response to the SIP message using the dynamic conference number” as recited in independent claim 51. The specification does not adequately explain the following:

- which terminal/party uses the routing number carried in the SIP response to obtain a dynamic conference number from the server;
- how the dynamic conference number is included in the CS bearer information and by which terminal/party (Fig. 3 only shows a telephone phone of the sender in field 324);
- assuming the dialog contains a sequence of SIP messages (i.e., INVITE, response), which SIP message contains the CS bearer information with the dynamic conference number since the routing number for retrieving the dynamic conference number is also ready included in the SIP response from the destination terminal to the originating terminal (specification, page 13, lines 29-30); and
- how the dynamic conference number is used to effect the communication flow.

Note that if the amended portions are canceled, the previous rejection mailed on 5/4/2007 is applied.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 81-88 and 93 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 81, it is unclear whether the CS bearer information including the dynamic conference number recited in line 15 is the same CS bearer information as recited in lines 10 and 16-17 of the claim. If they are not the same, there is no relationship/linkage between the step of using a routing number to the rest of the claim. Therefore, the claim is vague and indefinite.


Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nittaya Juntima whose telephone number is 571-272-3120. The examiner can normally be reached on Monday through Friday, 8:00 A.M - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nittaya Juntima
September 7, 2007



HUY D. VU
SUPERVISORY PATENT EXAMINER
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